

HOUSE BILL No. 2311

By Representative Holland

2-7

9 AN ACT relating to medical care facilities; amending K.S.A. 65-431 and
10 repealing the existing section.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 65-431 is hereby amended to read as follows: 65-
14 431. (a) The licensing agency shall adopt, amend, promulgate and enforce
15 such rules and regulations and standards with respect to the different
16 types of medical care facilities to be licensed hereunder as may be de-
17 signed to further the accomplishment of the purposes of this law in pro-
18 moting safe and adequate treatment of individuals in medical care facil-
19 ities in the interest of public health, safety and welfare.

20 (b) No rule or regulation shall be made by the licensing agency which
21 would discriminate against any practitioner of the healing arts who is
22 licensed to practice medicine and surgery in this state. Boards of trustees
23 or directors of facilities licensed pursuant to the provisions of this act shall
24 have the right, in accordance with law, to select the professional staff
25 members of such facilities and to select and employ interns, nurses and
26 other personnel, and no rules and regulations or standards of the licensing
27 agency shall be valid which, if enforced, would interfere in such selection
28 or employment. In the selection of professional staff members, no hos-
29 pital licensed under K.S.A. 65-425 *et seq.* shall discriminate against any
30 practitioner of the healing arts who is licensed to practice medicine and
31 surgery in this state for reasons based solely upon the practitioner's
32 branch of the healing arts or the school or health care facility in which
33 the practitioner received medical schooling or postgraduate training. *No*
34 *medical care facility shall employ a licensed practical nurse or licensed*
35 *professional nurse to work more than 12 hours in any twenty-four hour*
36 *period.*

37 (c) In formulating rules and regulations, the agency shall give due
38 consideration to the size of the medical care facility, the type of service
39 it is intended to render, the scope of such service and the financial re-
40 sources in and the needs of the community which such facility serves.

41 (d) A hospital consisting of more than one establishment shall be
42 considered in compliance with the rules and regulations of the licensing
43 agency if all basic services required by the agency are available as a part

1 of the combined operation and if the following basic services are available
2 at each establishment: Continuous nursing service, continuous physician
3 coverage on duty or on call, basic diagnostic radiological and laboratory
4 facilities, drug room, emergency services, food service, and patient
5 isolation.

6 Sec. 2. K.S.A. 65-431 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.